REMARKS

The final Office Action mailed on January 26, 2006 ("Office Action") has been received and carefully considered. Claims 1-44 are pending. The Examiner has rejected claims 1-44 as being allegedly anticipated by U.S. Patent No. 6,185,567 to Ratnaraj *et al.* under 35 U.S.C. § 102(e). Applicants respectfully traverse this rejection as set forth in detail below.

I. The Rejection By Inherency Is Improper And Must Be Reversed

The Office Action states, "[t]he huge amount of data available in these data sources inherently incorporates many of the details of the dependent claims." Office Action, page 2 (emphasis added). Of course, "many" does not mean "all." The Office Action therefore fails to allege that the dependent claims are inherently or explicitly anticipated by Ratnaraj. Accordingly, the rejection of the dependent claims is improper and must be reversed.

II. Ratnaraj Fails To Disclose Searching Only Securities Underlying Structured Securities Transactions

Claim 1 recites "storing respective historical financial performance data for each of a plurality of securities, each security underlying one of a plurality of structured securities transactions" and "retrieving the subset of the historical financial performance data identified by the search criteria." The antecedent basis for "the historical performance data" is "historical financial performance data for each of a plurality of securities, each security underlying one of a plurality of structured securities transactions." Thus, claim 1 clearly recites retrieving search results that consist only of securities underlying structured securities transactions.

Ratnaraj does not disclose searching only among securities that underlie structured securities transactions. Ratnaraj does not disclose retrieving search results consisting only of securities that underlie structured securities transactions. Ratnaraj's searches are completely generic. Indeed, Ratnaraj is incapable of searching only among securities underlying structured securities transactions. Ratnaraj does provide an extensive list of the types of financial data that it considers. *See* Ratnaraj, column 4, lines 33-63. However, Ratnaraj nowhere considers securities underlying structured securities transactions, let alone searching among the same and providing search results consisting only of the same. Ratnaraj's failure to suggest, consider, discuss, or

reference structured securities transaction is unsurprising. Indeed, Ratnaraj is directed authenticating access to a database containing generic financial data.

Under 35 U.S.C. § 102, anticipation requires that a prior art reference disclose each and every element of the claimed invention. *In re* Sun, 31 USPQ2d 1451, 1453 (Fed. Cir. 1993) (unpublished). MPEP § 2131 reinforces this principle: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because the cited references fail to disclose retrieving search results that consist only of securities underlying structured securities transactions, Applicants respectfully request that the rejection of claim 1 and all claims dependent thereon be withdrawn.

III. Ratnaraj Fails To Disclose Storing Trustee Reports Including Data Defined By Indenture Documents For The Structured Securities Transactions

Claim 39 recites "storing respective trustee reports for each of the plurality of securities, the trustee reports including data defined by respective indenture documents for the structured securities transactions."

The Office Action does not address this limitation. Applicants assert that neither Ratnaraj nor the Wharton Research Data System disclose storing trustee reports. As such, a rejection over Ratnaraj and/or the Wharton Research Data System cannot be sustained.

As the Examiner is well aware, anticipation under 35 U.S.C. § 102 requires that a prior art reference disclose each and every element of the claimed invention. *In re* Sun, 31 USPQ2d 1451, 1453 (Fed. Cir. 1993) (unpublished). MPEP § 2131 reinforces this principle: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because the cited references fail to disclose storing trustee reports including data defined by indenture documents for the structured securities transactions, Applicants respectfully request that the rejection of claim 39 and all claims dependent thereon be withdrawn.

IV. Ratnaraj Fails To Disclose Storing Indenture Documents For The Structured Securities Transaction

Claim 40 recites "storing respective indenture documents for the structured securities transaction," "receiving search criteria over the computer network ... identifying at least a subset of the indenture documents," and "retrieving the subset of indenture documents identified by the search criteria." Ratnaraj has absolutely no disclosure of these limitations.

The Examiner points to Ratnaraj, column 4, lines 39-40, which states that "raw data from a plurality of financial data sources are provided, including ... form 10-Ks..." Office Action, page 3. This argument is fatally flawed in many respects. First, Ratnaraj's disclosure of providing raw data from a form 10-K does not constitute a teaching of "storing respective indenture documents" and "retrieving the subset of indenture documents" as claimed. Indeed, Ratnaraj leaves unanswered exactly what data from form 10-Ks is provided. There is absolutely no evidence that Ratnaraj considered storing and retrieving indenture documents.

Second, form 10-Ks do not generally include indenture documents, or any other exhibits for that matter. That is, exhibits to form 10-Ks are not "raw data from" form 10-Ks. Moreover, although form 10-Ks are public documents, their exhibits and attachments are generally not public. Therefore, even assuming, without conceding, that Ratnaraj discloses storing and retrieving form 10-Ks, this does not constitute a teaching of storing and retrieving form 10-K exhibits, which are not part of form 10-Ks and generally not included with form 10-Ks. In fact, Applicants point out that although the Examiner was able to include a sample form 10-K with the Office Action, that sample form 10-K lacks the very exhibit that the Examiner alleges is included with it. That is, the sample form 10-K lacks indenture documents, and therefore supports Applicants' assertion that form 10-Ks generally do not include exhibits, let alone indenture documents. Moreover, the sample form 10-K supplied with the Office Action does not include, as part of its "raw data," any indenture document. Accordingly, providing a sample form 10-K that lacks an indenture document at most tends to prove that form 10-Ks lack indenture documents.

Third, Applicants note that the sample form 10-K supplied with the Office Action is dated December 31, 2003, which is over four years after the priority date of the present application.

Although Applicants understand that the sample form 10-K is meant to be illustrative, Applicants point out that this sample form 10-K does not prove anything at all about what is contained in the prior art.

Under 35 U.S.C. § 102, anticipation requires that a prior art reference disclose each and every element of the claimed invention. *In re* Sun, 31 USPQ2d 1451, 1453 (Fed. Cir. 1993) (unpublished). MPEP § 2131 reinforces this principle: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because the cited references fail to disclose storing indenture documents for the structured securities transaction, Applicants respectfully request that the rejection of claim 40 and all claims dependent thereon be withdrawn.

V. Ratnaraj Fails To Disclose Storing Contact Information Concerning Structured Securities Transactions

Claim 43 recites, "storing respective contact information concerning the structured securities transactions," "receiving search criteria ... identifying at least a some of the contact information," and "retrieving the contact information identified by the search criteria." Ratnaraj fails to disclose these limitations.

The Examiner's position appears to be that, because Ratnaraj discloses "raw data from a plurality of financial data sources are provided, including ... form 10-Ks," and because the sample form 10-K provided with the Office Action includes an address for the corporation to which it is directed, then it is proper to conclude that Ratnaraj discloses "storing respective contact information concerning the structured securities transactions" as well as the other related limitations. With respect, this position cannot stand. First, Ratnaraj fails to disclose what information it includes from form 10-Ks. There is no evidence that Ratnaraj provides address information gathered from form 10-Ks.

Second, the address information on the sample form 10-K has absolutely nothing to do with "contact information concerning the structured securities transactions," as claimed. Applicants

fully concede that most corporations have associated addresses. Applicants strongly dispute, however, that the existence of a corporate address on a form 10-K together with a vague assertion that "raw data from a plurality of financial data sources are provided, including ... form 10-Ks" constitutes a prior art disclosure of "storing ... contact information concerning the structured securities transactions." The sample form 10-K supplied with the Office Action says absolutely nothing about structured securities transactions.

Third, as discussed above, the sample form 10-K attached to the Office Action is not prior art and is therefore irrelevant to the present application.

Anticipation under 35 U.S.C. § 102 requires that a prior art reference disclose each and every element of the claimed invention. *In re* Sun, 31 USPQ2d 1451, 1453 (Fed. Cir. 1993) (unpublished). MPEP § 2131 reinforces this principle: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because the cited references fail to disclose storing contact information concerning structured securities transactions, Applicants respectfully request that the rejection of claim 43 and all claims dependent thereon be withdrawn.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The fee associated with the one month extension for this Reply is contained in the attached check. Nevertheless, in the event that the U.S. Patent and Trademark Office requires a fee to enter this Reply or to maintain the present application pending, please charge such fee to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
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Dated: April 21, 2006

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